

**Appl. No.** : 10/005,684  
**Filed** : November 8, 2001

### **REMARKS**

Claims 1, 2, and 12 have been amended. Claims 1-12 remain pending in the present application. Support for the amendments is found in the specification and claims as filed. Accordingly, the amendments do not constitute addition of new matter. Reconsideration of the application in view of the foregoing amendments and following comments is respectfully requested.

#### Rejection under 35 U.S.C. § 112, second paragraph

The Examiner rejected Claims 2 and 12 under 35 U.S.C. § 112, second paragraph.

The Examiner rejected Claim 2 for lack of antecedent basis for “the autoantigen for autoimmune disease.”

Claim 2 has been amended to recite “The method according to Claim 1, wherein the antibody for autoimmune disease is selected from the group consisting of lupus peptide antibody, arthritis peptide antibody, and immune complexes.” As amended, Claim 2 is proper.

The Examiner rejected Claim 12 for lack of antecedent basis for “the autoantigen for cardiovascular disease.”

Claim 12 has been amended to recite “The method according to Claim 1, wherein the antibody for cardiovascular disease is selected from the group consisting of myosin antibody, oxidized LDL, heat shock protein-60 antibody, and  $\beta$ -2 glycoprotein-1 antibody.” As amended, Claim 12 is proper.

Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw the rejections under 35 U.S.C. § 112, second paragraph.

#### Rejection under 35 U.S.C. § 112, first paragraph

The Examiner rejected Claims 1-12 under 35 U.S.C. § 112, first paragraph, for written description and enablement issues.

In particular, the Examiner objected to the inclusion of “platelet glycoprotein” because Applicant’s arguments in the previous Office Action were based on Figure 6 which did not include platelet glycoprotein.

**Appl. No.** : **10/005,684**  
**Filed** : **November 8, 2001**

As amended, Claims 1 and 2 do not recite "platelet glycoprotein."

The Examiner also stated that Figure 6 appears to require all seven antibodies to be measured.

Claim 1 has been amended to recite, *inter alia*, "determining a level of a first set of antibodies directed against a plurality of different antigens, and/or corresponding recombinant antigens or synthetic peptides said first set of antibodies comprising myosin antibody, oxidized LDL antibody, heat shock protein-60 antibody, and  $\beta$ -2 glycoprotein-1 antibody in a sample from said patient." As such, Claim 1 now recites all seven antibodies.

Finally, the Examiner stated that the claims do not clearly recite the steps of comparing the data to establish possible cardiovascular and autoimmune disease from possible autoimmune disease, or comparing the data to establish possible cardiovascular and autoimmune disease from possible autoimmunity. Claim 1 has been amended to recite all possibilities of the comparison. As such, Claim 1 now recites all comparisons of the data acquired through the recited steps.

Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw the rejections under 35 U.S.C. § 112, first paragraph.

#### CONCLUSION

In view of the foregoing amendments and comments, it is respectfully submitted that the present application is fully in condition for allowance, and such action is earnestly solicited.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully invited to call the undersigned in order to resolve issue promptly.

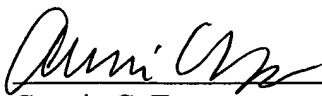
Appl. No. : 10/005,684  
Filed : November 8, 2001

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: September 23, 2005

By:   
Connie C. Tong  
Registration No. 52,292  
Agent of Record  
Customer No. 20,995  
(949) 760-0404

1946099:cb 092205